

## Own the Podium Harassment and Abuse Policy

NOTE: In this Policy “members” refers to all categories of members of OWN THE PODIUM (OTP), as well as to all individuals engaged in activities with or employed by OTP.

### POLICY STATEMENT

All Own the Podium staff members, volunteers, contractors, students, interns and visitors are entitled to be treated with respect and dignity, free from harassment based on the protected grounds of race, colour, national or ethnic origin, gender, religion, age, marital or family status, sexual orientation, disability, or any other ground prescribed by any law that applies to Own the Podium.

### APPLICATION

Harassment in the work environment creates an intimidating and offensive climate. It can damage an individual’s health and self-worth, undermine his or her performance, and negatively affect the working and learning environment. Own the Podium is committed to meeting its obligation to maintain and support a work environment that is respectful and free of harassment of any nature.

General Harassment: The Ontario Human Rights Code defines harassment as “a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.” “Harassment” has been defined elsewhere as any unwelcome behavior, conduct or communication or reprisal directed at an individual that is offensive to that individual and is based on any of the protected grounds. It may be persistent or sporadic and creates an intimidating, offensive or embarrassing work environment.

Harassment has also been defined as:

- Written or verbal abuse or threats;
- Abuse of authority which undermines performance or threatens an employee’s career;
- Patronizing or condescending behavior;
- Differential treatment based on race, gender, ethnicity, etc.;
- Racist or sexist humour; racial or ethnic slurs; and
- A poisoned work environment where inappropriate conduct is part of the culture of the organization.

This includes both physical and psychological intimidation, such as demeaning behaviour and treating others with a lack of respect or generally creating an atmosphere of fear. In such cases, it could include such conduct as bullying, making demeaning remarks, yelling and belittling.

Sexual Harassment: “Sexual harassment” is defined by the Ontario Human Rights Code as follows:

- Unwelcome sexual remarks, invitations or requests, or physical contact by the employer, someone acting for the employer, or a co-worker;
- Unwelcome sexual advances from a supervisor to an employee;
- Any offensive sexual comment, gesture, physical contact or demand for sexual favours, real or perceived, that is deliberate and unwelcome, or that should be known to be unwelcome;
- Unwelcome remarks, jokes or sexual innuendo about a person’s body, attire, marital status;
- Reprisal against a subordinate such as denial of a promotion or a salary increase for refusing sexual advances;
- Displays of pornographic material (pictures, calendars, posters, screensavers, websites);
- Physical or sexual assault.

In short, both general and sexual harassment create an intimidating, offensive or embarrassing work or volunteer environment.

Own the Podium maintains a respectful workplace. Own the Podium will therefore not tolerate personal harassment by any of its employees, volunteers, contractors or visitors. It is Own the Podium’s policy to provide a respectful environment that is free from discrimination and harassment and is in support of personal goals, dignity and self-esteem.

It should be noted that, whereas some behaviour may be offensive, inappropriate, unwanted, or a misuse of authority, it may not be considered harassment under the law. This does not, however, make it acceptable at Own the Podium. Preventing harassment is everyone's responsibility.

Senior Management is expected to act against harassment even without a formal complaint, and staff members are expected to express their disapproval if they encounter harassing behaviour. Any staff member guilty of harassment will be subject to discipline at Own the Podium's discretion.

### **Harassment and Complaint Procedure**

If an individual feels he or she is being subjected to harassment or abuse, he or she should:

- If possible, make the objection clearly known to the offender and ask him or her to stop; and
- If, after a discussion with the offender, an apology is received and the issue resolved, no further steps need to be taken.

If an individual observes another individual being subjected to harassment or abuse, he or she should:

- Encourage the other individual to follow the steps detailed above, or
- At the request of the other individual, jointly report the observed behavior to the Director, Partnerships and Operations and/or the Chief Executive Officer

If the issue is still unresolved after a discussion, or if the complainant does not feel comfortable speaking directly to the offender, the following steps should be undertaken:

- Prepare and maintain a written record of the dates, times, nature of the behavior and any witnesses; and Report the behavior to the Director, Partnerships and Operations and/or the Chief Executive Officer.

Once alleged harassment has been reported and behaviour change requested, if the individual persists in the behaviour, the formal complaint process will be implemented. To clarify, in the event of an unresolved or persistent complaint of general or sexual harassment, Own the Podium will follow this procedure to deal with the complaint:

- If the complainant has not been able to rectify the situation, a report should be made to the Director, Partnerships and Operations or to the Chief Executive Officer in the event that the Director, Partnerships and Operations is the alleged harasser. In either of the above cases, it is the responsibility of the individual to whom the individual reports the complaint to attempt to resolve the problem and to communicate further with him or her about action taken.
- If the matter is not resolved to the satisfaction of the complainant, he or she should file a formal, written complaint with the Chief Executive Officer, or, if Chief Executive Officer is the alleged offender, with the Chairperson of the Board. The alleged offender will receive a copy of the complaint. The Chief Executive Officer/Chairperson of the Board will investigate as quickly as possible, and will attempt to resolve the problem within 30 calendar days of the investigation's completion.
- The investigation will involve a communication process (written or by meeting) with the complainant, the alleged harasser and witnesses, if any, identified by both parties. The investigator will document the information provided in these meetings and will prepare a final report of the findings. All parties will be provided with a copy of the report of the investigation. All parties to the complaint must keep the matter confidential as well as all deliberations, investigation matters, proceedings or record of proceedings.
- In cases where anyone other than the Chief Executive Officer is the alleged harasser, any hearing will be chaired by the Chief Executive Officer or by the Chairperson of the Board if the complaint is against the Chief Executive Officer. If needed, all parties will meet via teleconference call as soon as possible. Both parties will be given an opportunity to state their case. Either party may have an individual from Own the Podium to provide support throughout the entire complaint process or any portion of it.

It should be noted that a complainant is free, at any point, to pursue his or her complaint under the Human Rights Code.

The complainant shall not be penalized, either directly or indirectly, and no form of reprisal will be tolerated against an individual who files a complaint or participates in this complaint procedure in good faith.

**REVIEW AND APPROVAL**

This Policy will be reviewed by the Board every two years.

**Approved: November 13, 2015**